

II. SMOKE AND OPACITY

A. Stationary Sources

1. Except as provided in paragraph 2 through 8 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity. Visible emissions shall be measured by EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)) in all subsections of Section II. A and B of this regulation.

2. Intermittent Sources

Except as provided in paragraphs 3 through 8 below, no owner or operator of an intermittent source shall allow or cause the emission into the atmosphere of any pollutant which is in excess of 20% opacity. Visible emissions shall be measured by EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)); except that because 24 consecutive 15-second readings cannot be taken because such a source does not operate continuously for six (6) minutes, the readings shall be taken at 15-second intervals during periods of operation until 24 readings have been made or for a period of thirty minutes, whichever is sooner, and the source shall be deemed in violation if the average opacity of such readings exceed 20%.

3. Pilot Plants and Experimental Operations

No owner or operator of a process unit of a pilot plant or experimental operation shall emit or cause to be emitted into the atmosphere from any such process unit particulate matter for a period or periods aggregating more than six (6) minutes in any (60) consecutive minutes which is in excess of 30% opacity as measured by EPA Method 9.

Except as otherwise provided in this paragraph this emission standard for pilot plants and experimental operations shall be applicable for a period not to exceed 180 operating days cumulative total from the date operation of such a process unit commences; thereafter the 20% opacity limitation provided in Section II.A.1 or 2 of these regulations shall apply to emissions from such a process unit of a pilot plant or experimental operation. For the purpose of this Section II.A.3 "Operating Days" shall mean any calendar day during which the process unit is operated and air pollutants are emitted (without regard to the length of period of time operated or amount of pollutants emitted). For good cause shown, the Division may extend the period of relaxed operation beyond 180 operating days

for the operation of a process unit, but in no event to greater than 365 operating days without the concurrence of the Commission.

4. Fire Building, Cleaning of Fire Boxes, Soot Blowing, Start-up, Process Modification or Adjustment of Control Equipment

Except as provided in Section II.A.7, no owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from the building of a new fire, cleaning of fire boxes, soot blowing, start-up, any process modification, or adjustment or occasional cleaning of control equipment, which is in excess of 30% opacity as measured by EPA Method 9 for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minute.

5. Smokeless Flare or Flares for the Combustion of Waste Gases

No owner or operator of a smokeless flare or other flare for the combustion of waste gases shall allow or cause emissions into the atmosphere of any air pollutant which is in excess of 30% opacity as measured by EPA Method 9 for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes.

6. Alfalfa Dehydrating Plant Drum Dryers

New alfalfa dehydration plants that constitute major stationary sources pursuant to Regulation No. 3 must comply with Section II.A.1. or 2. of Regulation No. 1. (See also Section III.C.2. of this Regulation).

7. Wigwam Burners

a. New Sources

(i) No owner or operator of a wigwam woodwaste burner, the construction of which was completed after the effective date of this regulation (May 30, 1982) shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity.

b. Existing Sources

(i) Effective January 1, 1983, no owner or operator of an existing wigwam woodwaste burner shall allow or cause the emission into the atmosphere of any air pollutant which is in

excess of 40% opacity; provided, however, the 40% opacity limitation shall not apply to the first one hour of start-up. "Start-up" as used herein shall mean ignition of a fire after a period of nonoperation.

(ii) Each owner or operator of an existing wigwam burner shall submit to the Division no later than January 1, 1983 a plan for the control of emissions to insure compliance with the emission limitation set forth in paragraph II.A.7.b. Such plan may include, but not necessarily be limited to, the following control and abatement measures:

(A) operational procedures for the burner to insure good combustion;

(B) intensify combustion by addition of alternate wood waste fuels (e.g. shavings);

(C) the use of dry fuel for start-up;

(D) proper and adequate maintenance and control of air flow of overfire/underfire air systems;

(E) localizing (centralizing) fire in the burner;

(F) preventing smoldering on weekends and during periods of nonoperation;

(G) maintaining burner in good condition;

(H) any other methods which may assist in maintaining a range of 700-800°F or higher. temperatures as measured at or near the top of the burner.

(iii) Each owner or operator of an existing wigwam burner shall have the following:

(A) continuous recording devices for wigwam burner temperature shall be maintained and records of the daily temperature, charts shall be kept for review.

(B) a specific individual at the mill shall be assigned to monitor the operation of the wigwam burner in accordance with the submitted plan.

(C) Exemption - the requirements of this Section II.A.7 shall not apply to woodwaste wigwam burners located in the

unincorporated areas of counties of less than 25,000 population according to the latest federal census, provided such burners are subject to regulations of the Board of County Commissioners for such county adopted by resolution and such regulations include among other things, permit provisions and prohibit any burning that would result in the exceedence of any NAAQS.

8. Exemptions

The requirements of Section II.A.1 and 2 of this regulation shall not apply to the following sources or types of emissions:

(i) Emissions from fireplaces, fireplace inserts and stoves, provided such devices are burning only clean dry wood or wood products and are used for noncommercial or recreational purposes.

(ii) Fugitive dust: As used in this Regulation No. 1, "fugitive dust" means airborne particulate matter which is not a direct or proximate result of man's activities.

(iii) Fugitive particulate emissions: As used in this Regulation No. 1, "fugitive particulate emissions" mean fugitive emissions of particulate matter that are the direct or proximate result of man's activities, (e.g., Materials left by man exposed to the wind or later acted upon by another force as the wind or automobile traffic, or particulate matter being thrown into the atmosphere by the operation of a bulldozer.)

(iv) Sources subject to the emission limitations of Section V. (Iron and Steel) of this regulation.

9. Static Firing of Pershing Missiles at Pueblo Army Depot Activity:

The opacity requirement of Sections II.A.1 and II.A.2 of this regulation shall not apply to the source or type of emissions from the static firing of intermediate-range and shorter-range Pershing missile systems, at Pueblo Army Depot Activity, where such activities are mandated by the Intermediate-Range Nuclear Forces Treaty, as ratified. Any source engaged in the static firing of Pershing missiles shall:

a. Not exceed 250 tons per year of any one pollutant.

- b. Conduct air monitoring adequate to determine the levels of emissions of all potentially dangerous air pollutants and provide the Division with the results of such monitoring; and
- c. Not emit any air pollutant in potentially dangerous quantities.

The requirements of this paragraph shall terminate no later than 36 consecutive months after the first day of missile destruction, and as specified in the State air permit.

B. Diesel Powered Locomotives

1. Except as provided in paragraph 2 below, no owner or operator shall emit or cause to be emitted into the atmosphere from any diesel-powered locomotive any air pollutant which is in excess of 20% opacity while being operated below 6,000 feet (mean sea level) and 30% opacity while being operated above 6,000 feet (mean sea level).

2. Exceptions

a. Emissions which exceed the opacity limits of Section II.B.1. as a result of a cold engine start-up, not to exceed thirty (30) consecutive minutes and provided the locomotive is in a stationary position.

b. Emissions for nonconsecutive periods of three (3) minutes with an aggregate of not more than (10) minutes in any consecutive sixty (60) minutes when a locomotive engine is being tested, adjusted, rebuilt, or repaired in the maintenance yards.

c. Emissions for periods of up to four (4) minutes when a locomotive is accelerated after standing still.

3. The owner or operator of any diesel-powered locomotive that has been cited for violation of Section II.B.1. of this regulation, but which is not available for a compliance inspection shall submit to the Division an affidavit attesting to those abatement measures which have been completed and shall state in that affidavit that the vehicles cited have achieved compliance with this regulation. as determined in accordance with EPA Method 9 (40 CFR, Part 60, Appendix A (1977)).

C. Open Burning

1. Except as provided in paragraph 2 below, no person shall burn or allow the burning of rubbish, wastepaper, wood, or other flammable material on any open premises, or on any public street, alley, or other land adjacent to such premises, unless an open burning permit is first obtained from the Division. In granting or denying such permits the Division shall base its decision on the location and proximity of such burning to any building or other structure, the potential contribution of such burning to air pollution in the area, climatic conditions on the day or days of such burning, and compliance by the applicant for the permit with applicable fire protection and safety requirements of the local authority. The Division may consider: (a) whether there is any practical alternative method for the disposal of the material to be burned and (b) whether burning will be conducted so as to minimize emissions. Methods for minimizing emissions may include, but are not necessarily limited to, the use of permitted incinerators or air curtain destructors, the use of clean auxiliary fuel, drying the material prior to ignition and separating out for alternative disposal: rubber, tires, plastic, insulated wire, insulation, and other materials which produce more smoke than clean combustible materials.

2. Sources Exempted from Obtaining Open Burning Permits

a. The noncommercial burning of private household trash in total suspended particulate attainment areas unless local ordinances or rules prohibit such burning.

b. Fires used for noncommercial cooking of food for human beings, for instructional purposes, or recreational purposes.

c. Flares used to indicate some danger to the public.

d. Agricultural Open Burning - The open burning of cover vegetation for the purpose of preparing the soil for crop production, weed control, and other agricultural cultivation purposes.

e. Noncommercial burning of trash in the unincorporated areas of counties of less than 25,000 population according to the latest federal census provided such open burning is subject to regulations of the Board of County Commissioners for such county adopted by resolution and such regulations include, among other things, permit provisions and prohibit any such burning that would result in the exceedence of any NAAQS.

3. Nothing herein shall be construed as relieving any person conducting open burning from meeting the requirements of any applicable federal, state or local requirements concerning disposal of waste materials.

D. Military Smokes and Obscurants Training Exercises

Emissions associated with the generation of fog oil smoke and the use of other short duration military smokes, of twelve minutes or less, on United States Army Installation Fort Carson and Pinon Canon Maneuver Site (PCMS) by United States military forces, or allied forces in a joint training exercise with the United States, shall be exempt from the opacity limits specified in Regulation No. 1, sections II. and III. provided that all of the following conditions are met:

1. All participants in the training shall follow all applicable Fort Carson training manuals and guidance regarding fog oil and other military smokes and obscurants;

2. A 3 kilometer buffer zone shall be established and maintained, in which smoke generation shall not occur. This buffer zone shall be contained wholly within Fort Carson and PCMS respectively for the entire perimeter;

3. Smoke generation shall cease immediately if such smoke crosses or if such smoke is in danger of crossing the boundary of the military reservation or if meteorological conditions are expected to change in a way that would transport existing smoke plumes across the Installation or Site boundary;

4. The commander in charge of any training involving obscurants shall post an observer to determine when a training exercise should be halted due to an increased potential for smoke to drift across the Installation or Site boundary;

5. Total fog oil usage at Fort Carson shall not exceed 1540 gal/day;

6. Total fog oil usage at the Pinon Canon Maneuver Site shall not exceed 1540 gal/day;

7. Fort Carson shall maintain records of each fog oil smoke generation exercise which shall include:

a. Observations from the designated observer(s) regarding the drift of the fog oil smoke only when said smoke approaches the

installation or Site boundary to the extent that all generation must cease to prevent visible emissions from crossing the boundary;

b. the amount of fog oil used in gal/day;

c. the general location at which the fog oil smoke was generated; and

d. the date and duration of the fog oil smoke generation; and

8. For purposes of this section, fog oil is defined as highly refined (hydro-treated) virgin oil.

The Commanding general in charge of Fort Carson shall be responsible for ensuring that no drift of smoke from fog oil generation or other obscurant use occurs across the boundary of the military reservations, even if generated in accordance with this section.